

**Regulations of the Virginia Board of Pharmacy  
Exempt Action**

**18 VAC 110-20-270. Dispensing of prescriptions; acts restricted to pharmacists; certification of completed prescriptions.**

- A. The following acts shall be performed by a pharmacist, or by a pharmacy intern, provided a method for direct monitoring by the pharmacist of such acts is provided:
1. The evaluation of a prescription for its completeness, validity, safety and appropriateness of drug therapy in conformity with provisions of §§ 54.1-3303, 54.1-3319, 54.1-3408, 54.1-3408.01, 54.1-3408.02, 54.1-3408.1, and 54.1-3410 of the Code of Virginia and to current practices in pharmacy.
  2. The receiving of an oral prescription from a practitioner or his authorized agent and the transcribing of such oral or electronically transmitted prescription to hard copy or directly into a data processing system.
  3. The personal supervision of the compounding of extemporaneous preparations.
  4. The conducting of a prospective drug review as required by § 54.1-3319 of the Code of Virginia prior to the dispensing or refilling of any prescription.
  5. The providing of drug information to the public or to a practitioner.

6. The communication with the practitioner regarding any changes in a prescription, substitution of the drug prescribed, drug therapy, or patient information.
  7. The direct supervision of those persons assisting the pharmacist in the prescription department under the following conditions:
    - a. Only one person who is not a pharmacist may be present in the prescription department at any given time with each pharmacist for the purpose of assisting the pharmacist in preparing and packaging of prescriptions or for the purpose of requesting or receiving refill authorization provided there is no change from the original prescription. If the pharmacy is using persons who hold current certification from PTCB or any other nationally recognized certifying body approved by the board, the ratio may be one pharmacist to three assistants.
    - b. In addition to the person or persons authorized in subdivision 7a of this subsection, personnel authorized by the pharmacist may be present in the prescription department for the purpose of performing clerical functions, to include data entry of prescription and patient information into a computer system or a manual patient profile system.
- B. After the prescription has been prepared and prior to the delivery of the order, the pharmacist shall inspect the prescription product to verify its accuracy in all respects, and

place his initials on the record of dispensing as a certification of the accuracy of, and the responsibility for, the entire transaction.

- C. If a pharmacist declines to fill a prescription for any reason other than the unavailability of the drug prescribed, he shall record on the back of the prescription the word "declined," the name, address, and telephone number of the pharmacy, the date filling of the prescription was declined, and the signature of the pharmacist.

**18 VAC 110-20-280. Transmission of a prescription order by facsimile machine.**

- A. Prescription orders for Schedule III through VI drugs may be transmitted to pharmacies by facsimile device (FAX) upon the following conditions:
  - 1. The transmission shall occur only with permission of the patient.
  - 2. A valid faxed prescription shall contain all required information for a prescription, including the prescriber's signature. An authorized agent, as defined in § 54.1-3408 § 54.1-3408.01 (D) of the Code of Virginia, may transmit an oral prescription by facsimile and may sign the prescription in lieu of the prescriber.
  - 3. A faxed prescription shall be valid only if faxed from the prescriber's practice location and only if the following additional information is recorded on the prescription prior to faxing:

- a. Documentation that the prescription has been faxed;
  - b. The date that the prescription was faxed;
  - c. The printed name, address, phone number, and fax number of the authorized prescriber and the pharmacy to which the prescription was faxed; and
  - d. The institution, if applicable, from which the prescription was faxed, including address, phone number and fax number.
- B. Prescription orders for Schedule II drugs may only be faxed for information purposes and may not serve as the original written prescription authorizing dispensing, except for orders to be administered to nursing home and home infusion patients in accordance with ~~§ 54.1-3408~~ § 54.1-3408.01 (C) of the Code of Virginia and except for prescriptions written for a Schedule II narcotic substance for patients residing in a hospice certified by Medicare under Title XVIII or licensed by the state. The prescriber shall note on the prescription if the patient is a hospice patient, and the prescription shall meet all requirements for a written prescription including the prescriber's signature.
- C. If the faxed prescription is of such quality that the print will fade and not remain legible for the required retention period, the receiving pharmacist shall copy or transcribe the faxed prescription on paper of permanent quality.

- D. Authorizations for refills may be faxed by the prescriber to the pharmacy provided the authorization includes patient name, address, drug name and strength, quantity, directions for use, prescriber's name, prescriber's signature or agent's name, and date of authorization.

**18 VAC 110-20-285. Electronic transmission of prescriptions from prescriber to pharmacy.**

- A. Unless otherwise prohibited by law, prescriptions may be transmitted by electronic means from the prescriber or an authorized agent as defined in ~~§ 54.1-3408-B~~ § 54.1-3408.01 (D) of the Code of Virginia for transmission of oral prescriptions directly to the dispensing pharmacy.
- B. In addition to all other information required to be included on a prescription, an electronically transmitted prescription shall include the telephone number of the prescriber, the full name of the prescriber's agent if other than the prescriber transmitting, date of transmission, and the identity of the receiving pharmacy.
- C. A pharmacy receiving an electronic transmission prescription shall either receive the prescription in hard copy form or shall print out a hard copy of the prescription from the pharmacy's computer memory. Any hard copy of a prescription shall be maintained on paper of permanent quality and shall be placed on file in accordance with 18 VAC 110-20-240 B.

D. An electronically transmitted prescription shall be transmitted only to the pharmacy of the patient's choice.

**18 VAC 110-20-430. Chart order.**

A chart order for a drug to be dispensed for administration to an in-patient in a hospital shall be exempt from the requirement of including all elements of a prescription as set forth in ~~§ 54.1-3408~~ § 54.1-3408.01 and § 54.1-3410 of the Code of Virginia. A hospital pharmacy policy and procedures manual shall set forth the minimum requirements for chart orders consistent with federal and state law.

## **Certification**

*I certify that this regulation is full, true, and correctly dated.*

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Elizabeth Scott Russell  
Executive Director  
Virginia Board of Pharmacy

Date: \_\_\_\_\_